

REMARKS

By this Amendment claim 1 has been amended to include the features of claims 6 and 7 (now canceled) and to otherwise more clearly define the inventive steps, and claims 8, 9, 14 and 21 have been amended to better define the intended subject matter. Entry is requested.

In the outstanding Office Action the examiner has rejected claims 1, 2, 4-9, 21 and 22 under 35 U.S.C. 102(b) as being anticipated by Rasmussen et al., and he has stated that claims 10-20 and 23 are objected to as being dependent based on rejected claims, but contain allowable subject matter.

The inventor asserts that amended claims 1 and 21 are patentable and that all of the dependent claims should also be allowed.

Claim 1 has been amended to include the step of rotating a surface element through air for a predetermined period of time and measuring the actual amount of ice accumulated on the surface element. Claim 21 has been correspondingly amended.

One way of understanding the advantage provided by this step is to refer to the type of precipitation called freezing drizzle, i.e., a supercooled mist of water droplets floating in the air and which does not usually deposit by itself as precipitation on the known measurement apparatuses. Thereby, the accuracy of measurement is improved relative to freezing drizzle.

Another way of understanding the advantages relates to other precipitation is to refer to Rasmussen et al., column 5, line 36 to column 6, line 4. This patent describes the theory behind calculation of wind enhanced precipitation accumulation. However, it is noted that the complex formulas apply exclusively to precipitation on one single direction. According to the invention, where the rotating element is now included in claims 1 and 21, the measurements are performed on the basis of an element that moves in all directions relative to the precipitation. As it is, an airplane does not move in one direction only on runways during the critical period of time.

The examiner refers to Rasmussen et al. estimating, in column 5, lines 36-67, a type of precipitation. The type of precipitation is not mentioned in the paragraph and, besides, any determination by Rasmussen et al. of that value will be associated with the errors that are obviated by the invention by use of a rotating element (see above).

Favorable reevaluation is requested.

Respectfully submitted,

DYKEMA GOOSSETT PLLC

By:


Richard H. Tushin
Registration No. 27,297
Franklin Square, Third Floor West
1300 I Street N.W.
Washington, DC 20005-3353
(202) 906-8680